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OFFICE OF PETITIONS

In re Application of :
Suzanne Mary Vining :
Application No. 10/671,164 : DECISION ON PETITION
Filed: September 25, 2003 :
Attorney Docket No. TI-36371 :

This is a decision on the petition under 37 CFR 1.137(b), filed August 22, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed January 25, 2006, which set a shortened statutory period for reply of three (3) months. No extensions of time were obtained under the provisions of 37 CFR 1.136(a). Accordingly, the application became abandoned on April 26, 2006.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the required reply in the form of an amendment, (2) the petition fee of \$1,500, and (3) a proper statement of unintentional delay. Accordingly, the failure to timely reply to the non-final Office action of January 25, 2006 is accepted as being unintentionally delayed.

In view of the request for refund of the issue fee, the issue fee payment of December 1, 2005 will be refunded to petitioner's deposit account, as requested.

This application is being referred to Technology Center AU 2819 for appropriate action in the normal course of business on the reply received August 22, 2006.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

Frances Hicks
Petitions Examiner
Office of Petitions